

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

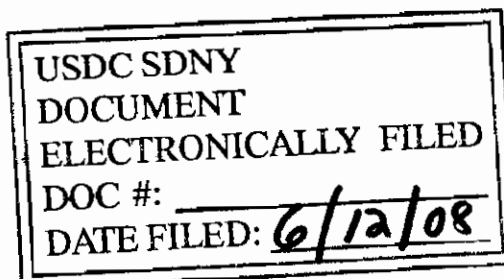
WING SHING PRODUCTS (BVI) LTD., *
Plaintiff, *
* 01 Civ. 1044 (RJH)
SIMATELEX MANUFACTORY CO., LTD., *
*
Defendant. *

**FINAL JUDGMENT AND PERMANENT INJUNCTION
BY CONSENT**

IT IS HEREBY STIPULATED AND AGREED by and between
plaintiff Wing Shing Products (BVI) Co. Ltd. ("Wing Shing")
and defendant Simatelex Manufactory Co., Ltd.
("Simatelex"), through their undersigned counsel, subject
to the approval of the Court, that it is

ORDERED, ADJUDGED AND DECREED that U.S. Patent
No. Des. 348,585 (the "Design Patent") is valid and
enforceable; and it is further

ORDERED, ADJUDGED AND DECREED that Simatelex has
induced the infringement of the Design Patent in violation
of 35 U.S.C. § 271(b) by its sale to Sunbeam Products, Inc.
of the following coffeemaker products: AD10, AD12, AD4,



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AD10BLK, AD10BLKR, AD10CSA, AD10RB, AD12PC, AD4PC, ADS12, ADX20, MCC120, AD12-2, AD4-4, ADS12PAL, ADX20-2, AD10-90, ADX20-2BP, ADX23BP, AD12-2R, AD12BLK, AD4-2, ADS12F, ADS12FPAL, ADX10, ADX10R, AD20-2R, ADX23, and MCC120-2; and it is further

ORDERED, ADJUDGED AND DECREED that Simatelex, its officers, agents, servants, employees, and attorneys and all those persons in active concert of participation with them who receive actual notice of this order by personal service or otherwise be, and hereby are, permanently enjoined pursuant to 35 U.S.C. § 283 during the term of the Design Patent from:

(i) infringing, or actively inducing the infringement of, the Design Patent; and

(ii) making, using, offering to sell or selling within the United States, or importing into the United States, any of the following coffeemaker products: AD10, AD12, AD4, AD10BLK, AD10BLKR, AD10CSA, AD10RB, AD12PC, AD4PC, ADS12, ADX20, MCC120, AD12-2, AD4-4, ADS12PAL, ADX20-2, AD10-90, ADX20-2BP, ADX23BP, AD12-2R, AD12BLK, AD4-2, ADS12F, ADS12FPAL, ADX10, ADX10R, AD20-2R, ADX23, and MCC120-2, or any other coffeemaker product that is within the scope of the Design Patent; and

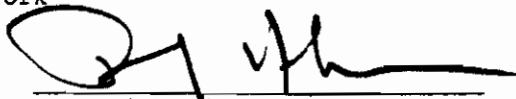
(iii) actively inducing any person to make, use, sell or offer to sell in the United States, or to import into the United States, any of the following coffeemaker products: AD10, AD12, AD4, AD10BLK, AD10BLKR, AD10CSA, AD10RB, AD12PC, AD4PC, ADS12, ADX20, MCC120, AD12-2, AD4-4, ADS12PAL, ADX20-2, AD10-90, ADX20-2BP, ADX23BP, AD12-2R, AD12BLK, AD4-2, ADS12F, ADS12FPAL, ADX10, ADX10R, AD20-2R, ADX23, and MCC120-2, or any other coffeemaker product that is within the scope of the Design Patent; and it is further

ORDERED, ADJUGED AND DECREED that the res judicata and merger effect of this final judgment and permanent injunction shall be limited to the claims expressly asserted in this action and that this final judgment and permanent injunction shall not bar Wing Shing from continuing to assert its claims, nor shall it impair or enhance the ability of Sunbeam to pursue its counterclaim or affirmative defenses with respect to patent validity, in the related litigation between the parties pending in this Court entitled Wing Shing v. Sunbeam Products, Inc. and Simatelex Manufactory Co., Ltd., 06 Civ. 3522 (RJH) ("Wing Shing II"); and it is further

ORDERED, ADJUGED AND DECREED that, subject to the foregoing, the claims of Wing Shing against Simatelex in

this action be, and hereby are, dismissed with prejudice,
except that the Court shall retain jurisdiction to enforce
this final judgment and permanent injunction by consent.

Dated: New York, New York
June 12, 2008



Richard J. Holwell
U.S.D.J.

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____

Consent to Entry

The parties, through their undersigned counsel,
hereby consent to the entry of the foregoing final judgment
and permanent injunction by consent.

Dated: May 30, 2008

DUNNEGAN LLC

By William Dunnegan
William Dunnegan (WD9316)
Nikitas E. Nicolakis (NN1325)
Attorneys for Plaintiff
Wing Shing Products (BVI) Ltd.
350 Fifth Avenue
New York, New York 10118
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HAND ARENDALL, L.L.C.

By Orrin K. Ames, III
Orrin K. Ames, III (pro hac vice)
Attorneys for Defendant
Simatelex Manufactory Co., Ltd.
Hand Arendall LLC
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Mobile, Alabama 36602
(251) 432-5511

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

Date:

In Re:

-v-

Case #:

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Dear Litigant,

Enclosed is a copy of the judgment entered in your case.

Your attention is directed to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, which requires that if you wish to appeal the judgment in your case, you must file a notice of appeal within 30 days of the date of entry of the judgment (60 days if the United States or an officer or agency of the United States is a party).

If you wish to appeal the judgment but for any reason you are unable to file your notice of appeal within the required time, you may make a motion for an extension of time in accordance with the provision of Fed. R. App. P. 4(a)(5). That rule requires you to show "excusable neglect" or "good cause" for your failure to file your notice of appeal within the time allowed. Any such motion must first be served upon the other parties and then filed with the Pro Se Office no later than 60 days from the date of entry of the judgment (90 days if the United States or an officer or agency of the United States is a party).

The enclosed Forms 1, 2 and 3 cover some common situations, and you may choose to use one of them if appropriate to your circumstances.

The Filing fee for a notice of appeal is \$5.00 and the appellate docketing fee is \$450.00 payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. No personal checks are accepted.

J. Michael McMahon, Clerk of Court

by: _____

, Deputy Clerk

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

-V-	<div style="text-align: right;">X</div> <div style="text-align: center;">NOTICE OF APPEAL</div> <div style="text-align: center;">civ. ()</div> <div style="text-align: left;">X</div>
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Notice is hereby given that _____
(party)
hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment [describe it]

entered in this action on the _____ day of _____, _____
(day) (month) (year)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

() _____
(Telephone Number)

Note: You may use this form to take an appeal provided that it is received by the office of the Clerk of the District Court within 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 1

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

-V-

**MOTION FOR EXTENSION OF TIME
TO FILE A NOTICE OF APPEAL**

civ.

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Pursuant to Fed. R. App. P. 4(a)(5), _____ respectfully
(party)
requests leave to file the within notice of appeal out of time. _____
(party)
desires to appeal the judgment in this action entered on _____ but failed to file a
(day)
notice of appeal within the required number of days because:

[Explain here the "excusable neglect" or "good cause" which led to your failure to file a notice of appeal within the required number of days.]

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

()

(Telephone Number)

Note: You may use this form, together with a copy of Form 1, if you are seeking to appeal a judgment and did not file a copy of Form 1 within the required time. If you follow this procedure, these forms must be received in the office of the Clerk of the District Court no later than 60 days of the date which the judgment was entered (90 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

FORM 2

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

-V-

**NOTICE OF APPEAL
AND
MOTION FOR EXTENSION OF TIME**

civ. ()

1. Notice is hereby given that _____ hereby appeals to
(party)
the United States Court of Appeals for the Second Circuit from the judgment entered on _____.
[Give a description of the judgment]

2. In the event that this form was not received in the Clerk's office within the required time
_____ respectfully requests the court to grant an extension of time in
(party)
accordance with Fed. R. App. P. 4(a)(5).

a. In support of this request, _____ states that
(party)
this Court's judgment was received on _____ and that this form was mailed to the
(date)
court on _____
(date)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

() _____
(Telephone Number)

Note: You may use this form if you are mailing your notice of appeal and are not sure the Clerk of the District Court will receive it within the 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

FORM 3

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

-----X
-V-
-----X

AFFIRMATION OF SERVICE

civ. ()

I, _____, declare under penalty of perjury that I have
served a copy of the attached _____

upon _____

whose address is: _____

Date: _____
New York, New York

(Signature)

(Address)

(City, State and Zip Code)

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006